

**COMMONWEALTH OF PUERTO RICO
PUBLIC SERVICE REGULATORY BOARD
PUERTO RICO ENERGY BUREAU**

NEPR

Received:

Sep 23, 2022

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IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S
SYSTEM REMEDIATION PLAN

CASE NO. NEPR-MI-2020-0019

**SUBJECT: Request for Extension of Time to Submit
the Fiscal Year 2022 Fourth Quarter Report.**

**REQUEST FOR EXTENSION OF TIME TO SUBMIT THE FISCAL YEAR 2022
FOURTH-QUARTER REPORT IN COMPLIANCE WITH RESOLUTION AND ORDER
ISSUED ON SEPTEMBER 16, 2022**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC ("ManagementCo"), and **LUMA Energy ServCo, LLC** ("ServCo"), (jointly referred to as "LUMA"), and respectfully state and request the following:

1. On August 15, 2022, LUMA filed before the Puerto Rico Energy Bureau ("Energy Bureau") a *Request to Align the Filing of the Quarterly Report for the Fourth Quarter of Each Fiscal Year with Year-End Reporting Under the T&D OMA and to File Q4 Report on October 28, 2022* ("August 15 Motion"). LUMA petitioned that the Energy Bureau modify its requirement for last quarter information and provide it within a year-end financial report 120 days after each fiscal year close, as the year-end financial results are unavailable until the financial close.

2. On August 31, 2022, the Energy Bureau entered a Resolution and Order through which it denied the August 15 Motion and ordered LUMA to file the Fiscal Year 2022 Fourth Quarter Report on or before September 7, 2022 ("August 31 Resolution").

3. On September 6, 2022, LUMA filed before the Energy Bureau a *Motion for Partial Reconsideration of Resolution and Order of August 31, 2022 and Proposing Alternative Schedule*

for Submission and Consideration of Quarterly Report ("September 6 Motion"). Therein, LUMA requested the Energy Bureau to reconsider the August 31 Resolution; alter the schedule for the submission of the Fiscal Year 2022 Fourth Quarter Report; and grant a delay for LUMA to submit it on or before October 28, 2022.

4. On September 16, 2022, this Energy Bureau issued a Resolution and Order, denying the September 6 Motion. In turn, it granted LUMA until September 26, 2022, to file the Fiscal Year 2022 Fourth Quarter Report.

5. The unforeseen event beyond LUMA's control of the passage through Puerto Rico of Hurricane Fiona on September 18, 2022, required the deployment of LUMA's workforce to prepare for and address an island-wide emergency and has rendered it unfeasible for LUMA and its personnel to work on the Fiscal Year 2022 Fourth Quarter Report.

6. On Thursday, September 15, 2022, at 0800, since the United States National Weather Services announced the imminent passage of Tropical Storm Fiona through Puerto Rico, LUMA activated its Emergency Operations Center (LEOC) in compliance with LUMA's Emergency Response Plan. Preparing for and responding to Hurricane Fiona required the engagement of many key personnel and components of the organization. Consequently, LUMA personnel involved in the Fiscal Year 2022 Fourth Quarter Report were activated in the LEOC last Thursday and remain activated today in the response and restoration efforts in the aftermath of Hurricane Fiona. Restoration, repairs and the concomitant administrative support are expected to continue in the coming weeks. Thus, it is not possible at this time to complete the Fiscal Year 2022 Fourth Quarter Report by September 26, 2022.

7. Given the aforementioned urgent circumstances, additional time beyond September 26th is needed for LUMA's personnel to finalize their duties in LEOC operations, rest, and return

to their non-emergency duties to work on the Fiscal Year 2022 Fourth Quarter Report. LUMA cannot currently ascertain when the urgent deployment of personnel for recuperation efforts will conclude. In good faith, LUMA currently estimates that it may submit the Fiscal Year 2022 Fourth Quarter Report one month following the conclusion of restoration efforts related to Hurricane Fiona.

8. It is respectfully set forth that the aforementioned unforeseen circumstances that were not present on September 16th when this Energy Bureau set the deadline for the Fiscal Year 2022 Fourth Quarter Report constitute just cause to extend the deadline for LUMA to file its Fiscal Year 2022 Fourth Quarter Report.

WHEREFORE, LUMA respectfully requests that the honorable Bureau **take notice** of the aforementioned for all purposes and **extend** the time to submit the Fiscal Year 2022 Fourth Quarter Report to at least one month following the conclusion of restoration efforts related to Hurricane Fiona.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on this 23st day of September 2022.

We hereby certify that this motion was filed using the electronic filing system of this Energy Bureau. We also certify that copy of this motion will be notified to the Puerto Rico Electric Power Authority, through its attorneys of record: jmarrero@diazvaz.law and kbolanos@diazvaz.law.



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